

MINUTES  
OF  
CITY OF WHARTON  
REGULAR CITY COUNCIL MEETING  
JULY 25, 2005

Mayor Bryce D. Kocian declared a Regular Meeting duly open for the transaction of business at 7:03 P.M. City Manager Andres Garza, Jr. led the opening devotion and then Mayor Bryce D. Kocian led the pledge of allegiance.

Councilmembers present were: Mayor Bryce D. Kocian, Councilmembers Ken Freese, Don Mueller, Domingo Montalvo, Jr., and Ray Linseisen.

Councilmember absent was: V. L. Wiley, Jr., and David Samuelson.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joyce Vasut, City Secretary Lisa Stavena, Assistant to City Manager Jackie Jansky, Building Official Ronnie Bollom, EMS Director John Kowalik, Public Works Director Phil Bush and City Attorney Paul Webb.

Visitors present were: Benjamin Sharp with Wharton Journal Spectator, David Schroeder, Lewis Fortenberry, Carlos Cotton, Joseph Abraham, Candice Abraham, M. L. Lindberg, Jr. and Raymond Harrison.

The second item on the agenda was Roll Call and Excused Absences. Councilmember Don Mueller made a motion to approve the absences of Councilmembers V. L. Wiley, Jr. and David Samuelson from the regular City Council meeting held July 25, 2005. Councilmember Domingo Montalvo, Jr. seconded the motion. All voted in favor.

The third item on the agenda was Public Comments. No comments were given. No action was taken.

The fourth item on the agenda was Wharton Moment. No comments were given. No action was taken.

The fifth item on the agenda was the City of Wharton Financial Report for the month of June 2005. Finance Director Joyce Vasut presented the financial report for the month of June 2005 and stated that the fiscal year was at 75%. Mrs. Vasut stated that the general fund revenues were at 84.29% and the expenditures were at 78.13%. She said the total ad valorem taxes collected were \$1,774,499 and the sales tax for the month of May 2005 was \$155,716 with \$103,811 to the City and \$51,905 to WEDCo. She further stated the TexPool balance for June was \$2,493,536.07 with an average monthly yield of 3.0583%. She stated that the bank balance was \$368,764.83 with an average monthly yield of 2.02%. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve the City of Wharton Financial Report for the month of June 2005. Councilmember Ray Linseisen seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider Recommendation from the Planning Commission for the following:

- A. Request by Mr. Joseph C. Abraham (Purchaser) for the following:
1. Preliminary re-plat Sycamore Grove, Block 4, Lot 1, 2, 3, and 4.
  2. Special permit for the construction of patio home dwellings.
  3. Variances from building setback requirements.

City Manager Andres Garza, Jr. presented a copy of the memorandum dated July 20, 2005 from Planning Commission Vice- Chairman Mike Wootton providing the recommendation by the Planning Commission for the City Council to consider approving the request by Mr. Joseph C. Abraham. He also presented a copy of the Planning Commission Communications from the meeting held July 18, 2005 and information on patio homes requirements as per the City's ordinance. Mr. Raymond Harrison addressed the City Council and introduced Mr. Joseph C. Abraham and Mrs. Candice Abraham. He stated that the Planning Commission approved the plat as a patio home subdivision. City Manager Andres Garza, Jr. said that the plat needed to state that the subdivision would be patio homes. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve the request by Mr. Joseph C. Abraham (Purchaser) for the preliminary re-plat of Sycamore Grove, Block 4, Lot 1, 2, 3, and 4 and a special permit for the construction of patio home dwellings. Councilmember Don Mueller seconded the motion. All voted in favor.

- B. Request by Mr. M. L. Lindberg, Jr. for a variance to add a front awning on a 40' x 60' building to be constructed at 2015 North Richmond Road. Wharton, Block 60-Ext. Lot 12B.

City Manager Andres Garza, Jr. presented a copy of the memorandum dated July 20, 2005 from Planning Commission Vice- Chairman Mike Wootton providing the recommendation by the Planning Commission for the City Council to consider approving the request by Mr. M. L. Lindberg, Jr. He then presented a copy of the Planning Commission Communications from the meeting held July 18, 2005. Mr. M. L. Lindberg, Jr. addressed the City Council and stated that he was requesting a variance for a front awning. He stated that the proposed awning would be in line with existing structures along North Richmond Road. After some discussion, Councilmember Ken Freese made a motion to approve the request by Mr. M. L. Lindberg, Jr. for a variance to add a front awning on a 40' x 60' building to be constructed at 2015 North Richmond Road, Wharton, Block 60-Ext. Lot 12B. Councilmember Domingo Montalvo, Jr. seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider the request by Ms. Amanda Castro for Temporary Permit for Possession/Consumption of Alcoholic Beverages in Certain Parks.

City Manager Andres Garza, Jr. presented a copy of the application for Temporary Permit for Possession/Consumption of Alcoholic Beverages in Certain Parks that was submitted by Ms. Amada Castro. He stated that the event would take place on September 3, 2005 at the Central Pavilion. He then presented a copy of the memorandum dated July 19, 2005 from Police Chief Tim Guin who indicated that the application appeared to comply with the City of Wharton Ordinance No. 2002-22. City Attorney Paul Webb stated that he reviewed and recommended approval. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve the request by Ms. Amanda Castro for Temporary Permit for Possession/Consumption of Alcoholic Beverages in Certain Parks at the Central Pavilion on September 3, 2005. Councilmember Don Mueller seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider the Wharton Economic Development Corporation 2005-2006 Fiscal Year Budget. City Manager Andres Garza, Jr. presented a copy of the letter dated July 13, 2005 from Mr. David Schroeder, Executive Director of the Wharton Economic Development Corporation (WEDC) requesting City Council consideration of the WEDC budget for fiscal year 2005 – 2006. He then presented a copy of WEDC's proposed budget. Mr. David Schroeder addressed the City Council and stated that the 2005-2006 budget consisted of estimated revenues of \$992,000; Appropriations for Administration of \$243,600, Infrastructure of \$537,157, Strategic Planning of \$12,500, Marketing of \$54,900, and Business Development of \$50,000. After some discussion, Councilmember Ray Linseisen made a motion to approve the Wharton Economic Development Corporation 2005-2006 fiscal year budget. Councilmember Don Mueller seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider the recommendation by the Wharton Regional Airport Board for the following projects to be included in the 2005 Routine Airport Maintenance Program:

- A. Construction of an Access Road to Apron.
- B. Airport Corporate Hangar Repairs.

City Manager Andres Garza, Jr. stated that in October 2004, the City Council approved projects to be conducted under the 2005 Routine Airport Maintenance Program (RAMP), which was a 50/50 matching grant, for the Wharton Regional Airport. He stated that those projects included connecting the two aprons between the Dalton Investment Hangar and the Corporate Hangar and to replace the sign located at the entrance of the airport. He said that the maintenance fees for the NADIN (AWOS system) was also included in the program. He said that the Wharton Regional Airport Board met July 12, 2005 and was recommending the City Council consider approving the construction of an access road to the apron and to make repairs to the corporate hangar. He said the repair would be to replace the sheet siding on the building. He said approximately \$20,000 remained to be utilized under the 2005 RAMP program with the airport fund matching 50% of the costs. He said that the Airport Board was requesting City Council approval to undertake the projects using the airport funds to match the costs and to solicit bids for the repairs to the hangar. He stated that the Public Works Department would conduct the work to construct the access road. He stated that the deadline to commit the funds for the 2005 RAMP program was August 31, 2005, and that the City Staff had proceeded to advertise the hangar project in order to meet that deadline. He said that the estimated cost for the hangar repairs was \$40,000 and the access road was \$1,300.00. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve the recommendation by the Wharton Regional Airport Board for the construction of an access road to apron and airport corporate hangar repairs to be included in the 2005 Routine Airport Maintenance Program. Councilmember Ray Linseisen seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider a resolution approving a professional engineering services agreement between Jones & Carter, Inc. and the City of Wharton for the Santa Fe Drainage Outfall Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. City Manager Andres Garza, Jr. stated that during the July 11, 2005 regular Wharton City Council meeting, the City Council approved the City Staff to move forward with the Santa Fe Drainage Outfall project. He said that Jones & Carter, Inc. was the engineering firm that had been working with the City Staff to develop the preliminary

engineering reports for the project. He then presented a copy of the formal agreement engaging the services of Jones & Carter, Inc. to continue to develop the drawings and specifications for the actual construction of the outfall channel. He also presented a copy of a draft resolution approving the agreement. He stated that the total basic cost of services would be \$150,000 and with the additional services, the cost would total \$255,000. He stated that there was \$390,000 budgeted for this project. City Attorney Paul Webb stated that he reviewed and recommended approval. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve Resolution No. 2005-36, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2005-36**

**A RESOLUTION APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT BETWEEN JONES & CARTER, INC. AND THE CITY OF WHARTON FOR THE SANTA FE DRAINAGE OUTFALL PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** the Wharton City Council wishes to construct the Santa Fe Drainage Outfall to alleviate flooding in the City; and

**WHEREAS,** the Wharton City Council wishes to engage the professional engineering services of Jones & Carter, Inc. Consulting Engineers to develop the drawings and specifications to construct the outfall; and

**WHEREAS,** the City of Wharton and Jones & Carter, Inc. Consulting Engineers wish to be bound by the conditions as set forth in the agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

**Section I.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a professional engineering services agreement with Jones & Carter, Inc. for the construction of the Santa Fe Drainage Outfall.

**Section II.** That the City of Wharton and Jones & Carter, Inc. Consulting Engineers are hereby bound by the conditions as set forth in the agreement.

**Section III.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 25<sup>th</sup> day of July 2005.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**BRYCE D. KOCIAN**

Mayor

**ATTEST:**

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**LISA STAVENA**

City Secretary

Councilmember Ken Freese seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider City of Wharton 2005 Street Improvement Program.

A. Bid Tabulation.

**B. Resolution:** A resolution awarding the bid for the 2005 Street Improvement Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. City Manager Andres Garza, Jr. stated that bids were opened for the 2005 Street Improvement Project and presented a recommendation from Public Works Director Phil Bush. He then presented a draft copy of the resolution awarding the project. Mr. Phil Bush addressed the City Council and stated that three bids were received with Cornerstone Paving and Construction, L.L.C. being the lowest bidder at \$36,473.76. Finance Director Joyce Vasut stated that \$45,000 was budgeted for this project. City Manager Andres Garza, Jr. stated that the paving of the Ahldag shoulder could also be included with the contract with Cornerstone Paving and Construction, L.L.C. After some discussion, Councilmember Don Mueller made a motion to approve Resolution No. 2005-37, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2005 - 37**

**A RESOLUTION APPROVING A CONTRACT BETWEEN CORNERSTONE PAVING AND CONSTRUCTION AND THE CITY OF WHARTON FOR THE 2005 STREET IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** competitive, sealed bids were received on July 25, 2005 for 2005 Street Improvement Project; and

**WHEREAS,** Cornerstone Paving and Construction was deemed to be the lowest and best qualified bidder as per bid specifications in the total amount of \$36,473.76; and

**WHEREAS,** the Wharton City Council wishes to authorize the Mayor of the City of Wharton, Texas, to execute an agreement with Cornerstone Paving and Construction and the City of Wharton for the 2005 Street Improvement Project; and

**WHEREAS,** the City of Wharton and Cornerstone Paving and Construction wishes to be bound by the conditions as set forth in the agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

**Section I.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton, Texas, to execute an agreement with Cornerstone Paving and Construction as per bid specifications for the 2005 Street Improvement Project.

**Section II.** That Cornerstone Paving and Construction and the City of Wharton are hereby bound by the conditions as set forth in the agreement.

**Section III.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this the 25<sup>th</sup> day of July 2005.

**CITY OF WHARTON**

**By:** \_\_\_\_\_  
**BRYCE D. KOCIAN**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA STAVENA**

City Secretary

Councilmember Ray Linseisen seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider the Wharton Municipal Pool Improvement Project:

A. Change Order No. 1.

B. Pay Request No. 2 – Aquatic Renovation Systems, Inc.

City Manager Andres Garza, Jr. presented a copy of the Change Order No. 1 for the Wharton Municipal Pool Project prepared by Mr. Barnaby Evans of Fatter & Evans Architects. He said that the change order allowed for a deduction of \$200 per day, per contract, for each day the project went beyond the May 30, 2005 completion date. He stated that two weather days were allowed. He stated that the project was completed at the end of the day on June 21, 2005 and the pool was ready for use on June 22, 2005. He said Mr. Evans deducted one (1) day for May 31, twenty-one (21) days for June, less two (2) days for rain, totaling twenty (20) days, which equaled to \$4,000. He said that the twenty (20) days would be added to the contract time. He then presented a copy of the second application for payment also prepared by Mr. Evans for Aquatic Renovation Systems, Inc. After some discussion, Councilmember Ray Linseisen made a motion to approve the Wharton Municipal Pool Improvement Project, Change Order No. 1 for the deduction of \$200 per day for extension of completion of job beyond the contract period and Pay Request No. 2 – Aquatic Renovation Systems, Inc. in the amount of \$11,153.72.

Councilmember Don Mueller seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider a resolution of the Wharton City Council approving Contract No. 725037 with the Office of Rural Community Affairs under the Texas Community Development Program for the Tropical Storm Fay Acquisition Project and

authorizing the Mayor of the City of Wharton to execute all documents related to said contract. City Manager Andres Garza, Jr. stated that during the regular January 12, 2004 Wharton City Council meeting, the City Council approved to submit an application to the Office of Rural Community Affairs (ORCA) under the Texas Community Development Program (TCDP) for the 25% match required for the Tropical Storm Fay Acquisition Project, FEMA Disaster Relief Program DR-1434-002. He said that on May 15, 2005, ORCA approved the City's application. He presented a copy of the letter dated July 18, 2005 from Ms Oralia Cardenas, ORCA Director of Community Development providing the City with the required contracts. He then presented a copy of the draft resolution approving the contract and authorizing the Mayor to execute the contract, which was also provided. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve Resolution No. 2005-38, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2005-38**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING  
CONTRACT NO. 725037 WITH THE OFFICE OF RURAL COMMUNITY  
AFFAIRS UNDER THE TEXAS COMMUNITY DEVELOPMENT  
PROGRAM FOR THE TROPICAL STORM FAY ACQUISITION PROJECT  
AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO  
EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS**, the Wharton City Council approved the submission of an application to the Office of Rural Community Affairs, Texas Community Development Program for the City of Wharton's required 25% match for the Tropical Storm Fay Acquisition Project, DR-1434-002; and

**WHEREAS**, the Wharton City Council wishes to approve Office of Rural Community Affairs, Texas Community Development Program, Contract No. 725037; and

**WHEREAS**, the City of Wharton and the Office of Rural Community Affairs wishes to be bound by the conditions as set forth in the agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS** as follows:

**Section I.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute the Office of Rural Community Affairs, Texas Community Development Program Contract No. 725037 for the 25% match for the Tropical Storm Fay Acquisition Project, DR-1434-002.

**Section II.** That the City of Wharton and the Office of Rural Community Affairs are hereby bound by the conditions as set forth in the agreement.

**Section III.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 25<sup>th</sup> day of July 2005.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**BRYCE D. KOCIAN**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA STEVENA**

City Secretary

Councilmember Ray Linseisen seconded the motion. All voted in favor.

The fourteenth item on the agenda was review and consider an update on the Home Elevation Project. City Manager Andres Garza, Jr. stated that the elevation of the two homes located at 515 Wilkes and 1908 MLK Blvd. was on-going. He said that both homes had been elevated to one foot above the base flood elevation. He said that Village Foundation Repairs was continuing to complete the ramps, stairways, etc. He stated that the utility connections were completed approximately one and one half weeks ago. He stated that the project was on schedule and would be completed by August 30, 2005. After some discussion, no action was taken.

The fifteenth item on the agenda was to review and consider City of Wharton Status Report on Projects. City Manager Andres Garza, Jr. presented a memorandum dated July 20, 2005 providing a status report on the City of Wharton Projects, which read as follows:

**FLOOD PLAIN MANAGEMENT**

- A. Wharton Interim Feasibility Study. This project was on going. The Corps of Engineers report should be completed for the first phase of this project by June 2006. However, preparations had begun on the second phase, which was the pre-construction engineering and design. Also, by mid-summer of 2005, the City Council would need to make decisions on the final alternatives for the project.
  
- B. FEMA-Flood Maps. In early March 2005, the City Staff received the proposed new flood maps. The City reviewed the streets and sub-divisions shown within the mapping areas to determine if the locations were correct. FEMA published the public notice for the 90 day public comment period. The comment period began May 18<sup>th</sup> and would end August 16, 2005. City Council Public Works Committee would meet to discuss the mapping and the public input process.

**DRAINAGE:**

- 1. Sanitary Sewer Manhole Survey.

Jones & Carter, Inc. had completed the manhole report and would submit to the City.

2. Ahldag Drainage Outfall Project.

Jones & Carter, Inc. had completed the preliminary design calculations and determined the required right-of-way. The City Attorney's office had filed the condemnation suite in District Court on the Hawes Estate property. Negotiations continue with the property owners on a proposed easement and right of entry agreements for the survey. Once an easement had been secured, Jones & Carter, Inc. would begin the design phase of the project. An offer letter had been sent to Mr. Edward Guajardo for the purchase of all of the lots. If he did not accept the City's offer, condemnation proceedings would be taken.

3. Santa Fe Drainage Outfall Project.

Jones & Carter, Inc. had completed the preliminary engineering report that had been submitted to the City and approved by the City Council. The route of the proposed channel had been selected. Jones & Carter, Inc. would begin the design phase and exact channel location. They would begin the boundary fieldwork next week in preparation of writing the easement descriptions. A property owners meeting should be held next week to discuss the project with the property owners that would be impacted.

4. Crestmont / Kelving Way Drainage.

Jones & Carter, Inc. had completed their analysis of the capacities of the existing storm sewer system and at what points it is overloaded. The re-routing of some run-off would be incorporated into the Santa Fe Outfall Project.

5. Nan Ya Drainage Ditch.

The City Staff was working with Nan Ya Plastics and J&M Manufacturing on the alignment of the ditch that was necessary for the improvements the companies needed to make in order to provide adequate access to their properties.

**WATER/SEWER IMPROVEMENTS:**

1. Murphy Road Sanitary Sewer Improvements.

Bids for this project were received June 9, 2005 and the City Council awarded the bid to RWL Construction, Inc. on June 13, 2005. A pre-construction conference was held July 14, 2005. RWL would replace the leaking valve first, then the fire hydrants and then move to Murphy Road. Construction would begin the first week in August.

2. Downtown Square Fire Hydrants.

Jones & Carter, Inc. had included the replacement of the four fire hydrants and the repair of the valve in front of the post office in the Murphy Road Sanitary Project.

3. Leaking Valve at Milam and Rusk.

Replacement of water valves that were leaking on Milam Street at its intersection with Rusk Street. This project was included in the Murphy Road Sanitary Sewer Improvement Project. RWL would begin construction on this project first.

4. Water Plant Tank Inspections.

Jones & Carter, Inc. was coordinating with the City's Public Works Department to take the tanks off line for inspection. Inspection of the Alabama Road tanks had been completed. Jones & Carter, Inc. had scheduled the inspection of the Valhalla tank in the fall of 2005 in an effort to keep the tank online during the peak water demand months.

5. Sewer Improvements/Industrial Park

Jones & Carter, Inc. had provided the cost estimate for the proposed sanitary sewer pump station to serve the Wharton Industrial Park and adjacent areas. The estimated cost was \$541,000, which consisted of constructing a pump station and a force main from this site to the Wastewater Treatment Plant No. 2. City personnel would provide the labor and equipment to lay the 10,700 feet of force main. During the regular June 13, 2005 Wharton City Council meeting, the City Council authorized the City Staff to request funding from the Wharton Economic Development Corporation (WEDC). On July 13, 2005, the City received a letter from WEDC approving to assist with funding the project by providing \$275,000.

**STREET IMPROVEMENTS**

1. U.S. 59/FM 102 Intersection Upgrade - 1301 Extension Project.

The City Staff would meet with the Texas Department of Transportation (TxDOT) Yoakum District Representatives to outline these projects. TxDOT had indicated to the City that it would provide signalization at the intersection of FM 102 and US Hwy. 59 and to create a two way ramp on the dead end street in front of Nan Ya Plastics and J & M Manufacturing. TxDOT also indicated that it would assist the City with the extension of FM 1301 to US Hwy. 59. The City Staff would request timelines on both projects.

2. 2005 Street Improvement Program.

The City Staff had advertised for bids, which would be received on July 25<sup>th</sup> and presented during the Council meeting.

3. WISD – Harris Park.

On July 7, 2005, Mr. Garza submitted a letter to Mr. Don Hillis, Superintendent of WISD requesting WISD consider granting the City a sixty feet street right of way from Harris Park to

the school and to grant the City the property in Harris Park to the Colorado River. To date, the City Staff had not had a response from WISD.

### **WHARTON REGIONAL AIRPORT – 2005 RAMP PROGRAM**

The Wharton Regional Airport Board met July 12, 2005 and was recommending the City Council consider approving the construction of an access road to the apron and to conduct repairs to the Corporate Hangar. Approximately \$20,000 remains to be utilized under the 2005 RAMP program with the airport fund matching 50% of the costs. During the July 25<sup>th</sup> City Council meeting, the Airport Board would request City Council approval to conduct the projects using the airport funds to match the costs and to solicit bids for the repairs to the hangar. The Public Works Department would conduct the work to construct the access road.

### **NON-PRIMARY ENTITLEMENT (NPE) FUNDS**

The City submitted a letter to the Texas Department of Transportation – Aviation Division requesting additional time to determine projects that could be funded by this program. The City was informed that the 2003 funds must be used by September 2006; however, the projects to be completed should be submitted as soon as possible. Chairman David Allen gave a presentation regarding proposed airport improvements that could be conducted under this grant. The City Council approved the City Staff to move forward with the improvement plan. A letter notifying the Texas Department of Transportation Aviation Division was submitted on May 12, 2005. The City Staff was awaiting a response.

### **AIRPORT TERMINAL PROJECT**

During the regular May 9, 2005 Wharton City Council meeting, Wharton Regional Airport Board Chairman David Allen gave a presentation regarding the Airport Board's proposed airport improvement projects. Part of the proposed improvements included the construction of a new terminal building. The Texas Department of Transportation (TxDOT) had accepted the City's LOI and in response issued the attached letter dated March 17, 2005 to Mayor Bryce D. Kocian. In the letter, the TxDOT indicated that they were targeting August 2005 for the Texas Transportation Commission approval for all FY 2006 projects and had requested the City to submit various forms to be executed by the City.

### **AIRPORT DEVELOPMENT PLAN**

O'Malley Engineers had prepared the initial draft of the Airport Development Plan and had submitted it to the Wharton Regional Airport - Airport Board and Steering Committee for their review and comment. The O'Malley Engineers would present a final draft of the plan during the August 2, 2005 Airport Board meeting.

### **HOME PROJECTS**

1. 2004 HOME Program.

The City Staff had received notification that the City was approved for this grant which would enable the City to build 7 new low to moderate income homes. The City Staff was waiting on the contracts to be submitted for execution. Applications were being taken until December 31, 2005. This was a special needs grant.

2. 2003 HOME Program.

The City Staff received State approval to proceed with demolition and new construction on the nine new homes previously selected for reconstruction. Demolition of the nine (9) structures were completed by the Public Works Department. Construction had begun on all of the homes located at 621 Washington, 522 Branch, 1521 Hendon, 304 Pecan, 307 Hughes, 1621 Connie, 808 East Caney, 209 Washington and 504 Correll. All nine homes were scheduled to be completed by August 30, 2005.

3. Home Elevation Project.

The elevation of the two homes located at 515 Wilkes and 1908 MLK Blvd. was on-going. Both homes have been elevated to one foot above the base flood elevation. Village Foundation Repairs was continuing to complete the ramps, stairways, etc. The utility connections were completed approximately one and one half weeks ago. The project was on schedule and would be complete by August 30, 2005.

**OTHER PROJECTS:**

1. Tropical Storm Fay – Buy-Out Project:

Olmos Abatement, Inc. was awarded the bid for the asbestos abatement of the home located at 2821 Texas Street, which was purchased by the City. Olmos began the abatement of the asbestos on Monday, July 18, 2005.

2. Santa Fe Trail Park Project.

The City Public Works Department had completed the asphalt for the trail. Also, plans were being prepared for the construction of the water fountain using a consultant. This project was ongoing.

3. Southern Pacific Railroad Depot Restoration Project.

A & A Constructors, Inc. had executed all documents related to the contract and had begun actual construction of the depot on Monday, July 18, 2005.

Mr. Garza stated that the Rail Road Depot Restoration Project was underway as of July 18, 2005. After some discussion, no action was taken.

The sixteenth item on the agenda was Executive Session: City Council may adjourn into an Executive Session in accordance with Section 551.071 and 551.072 of the Government Code,

Revised Civil Statutes of Texas. Final action, decision or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.

A. Discussion: Performance Evaluation of City Manager.

Mayor Bryce D. Kocian adjourned into Executive Session at 7:33 p.m.

Mayor Bryce D. Kocian returned to open session at 8:10 p.m.

The seventeenth item on the agenda was Return to Open Session: Action on items discussed in Executive Session:

B. Review and Consider: Performance Evaluation of City Manager.

Mayor Bryce D. Kocian advised that no action would be taken.

The eighteenth item on the agenda was to review and consider the City Council Committees, Boards and Commission's Reports:

A. Wharton Regional Airport Board meeting held July 12, 2005.

B. Wharton Economic Development Corporation meeting held July 12, 2005.

C. Planning Commission meeting held July 18, 2005.

City Manager Andres Garza, Jr. presented the reports to the City Council. No action was taken.

The nineteenth item on the agenda was the City Manager's Reports:

A. Police Department.

I. Engineer/Planning Department.

B. City Secretary/Personnel.

J. Facilities Maintenance Department.

C. Municipal Court.

K. Community Services Department/  
Civic Center.

D. E.M.S. Department.

E. Fire Department Incidents/Inspections.

L. Wharton Municipal Pool.

F. Code Enforcement Department.

M. Wharton Regional Airport.

G. Water & Sewer Department.

N. Legal.

H. Public Works Department.

O. Weedy Lots/Sign Ordinance.

City Manager Andres Garza, Jr. presented the reports to the City Council. No action was taken.

The twentieth item on the agenda was adjournment. After some discussion, Councilmember Don Mueller made a motion to adjourn. Councilmember Ray Linseisen seconded the motion. All voted in favor.

The meeting adjourned at 8:11 p.m.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_

**BRYCE D. KOCIAN**

Mayor

**ATTEST:**

\_\_\_\_\_  
**LISA STAVENA**

City Secretary